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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/029,587

10/25/2001

Bin Lian

INTL-0623-US (P11954)

4948

7590

06/04/2004

Timothy N. Trop
TROP, PRUNER & HU, P.C.
8554 KATY FWY. STE. 100
HOUSTON, TX 77024-1805

EXAMINER

ANYASO, UCHENDU O

ART UNIT

PAPER NUMBER

2675

6

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,587

Applicant(s)

LIAN ET AL.

Examiner

Uchendu O Anyaso

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. **Claims 8-20** are pending in this action.

Claim Rejections - 35 USC ' 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 8-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Henty* (U.S. Patent 5,838,138) in view of *Herron* (U.S. 3,895,236).

Regarding **independent claims 8 and 16**, and for **claim 12** Henty teaches a wireless device for a processor-based device by teaching a wireless remote controller 140 (column 6, lines 40-45).

Furthermore, Henty teaches how to generate power in the device from the operation of a control operator of the device by teaching a remote controller comprising a plurality of input devices movable in response to manual operation thereof; a plurality of mechanical to electrical energy converters, each associated with one of said input devices; and a transmitter, coupled to the mechanical to electrical energy converters so as to receive power therefrom and activated by the input devices so as to transmit a control signal in response to a manual operation thereof (see column 6, lines 64 through column 7, lines 1-9, figure 8b; see also column 10, lines 5-14, figure 8a, 8b).

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However, Henty does not teach an element coupled to the control operator to convert linear motion of the control operator into rotary motion. On the other hand, Herron teaches an energy conversion apparatus wherein an element such as a flywheel 19 is coupled to a means for linear to rotary motion conversion 15 and functions as an energy storage mechanical device (column 3, lines 2-8, figure 2 at 15, 19).

Thus, it would have been obvious to a person of ordinary skill in the art to combine Henty and Herron because while Henty teaches a wireless device for a processor-based device by teaching a wireless remote controller 140 (column 6, lines 40-45), Herron teaches an energy conversion apparatus wherein an element such as a flywheel is coupled to a means for linear to rotary motion conversion and functions as an energy storage mechanical device (column 3, lines 2-8, figure 2 at 15, 19). The motivation for these inventions would have been to reduce the amount of electric consumption by an operator (column 1, lines 38-45).

Regarding **claims 13 and 19**, in further discussion of claims 8 and 16, Henty teaches how the remote controller 140 includes a number of push button type controls wherein push button controllers 142, 144 have mechanical power converters (column 6, lines 45-63, figures 8a, 8b).

Regarding **claims 9-11, 17, 18 and 20**, in further discussion of claims 8 and 16, Henty teaches a wireless device for a processor-based device by teaching a wireless remote controller 140 (column 6, lines 40-45).

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Regarding **claim 14**, in further discussion of claim 8, Henty teaches a joystick controller 148 within the remote controller 140 (column 6, lines 53-55).

Regarding **claim 15**, in further discussion of claim 8, Henty teaches an auxillary battery (figure 9 at 162).

Response to Arguments

4. Applicant's amendments and arguments filed March 15, 2004 with respect to claims 8-20 have been considered but they are not persuasive.

Applicant amended independent claims 8 and 16 to recite the features of an element (flywheel) coupled to the control operator to convert linear motion of the control operator into rotary motion. Applicant then argues that Henty fails to teach applicant's claimed invention because Henty directly converts linear motion of the operator into electrical energy. Also, applicant contends that Henty fails to teach a flywheel.

In response to these applicant's arguments, Henty and Herron were combined because Herron teaches these newly added features, which are deficient in Henty. Specifically, Herron teaches an energy conversion apparatus wherein an element such as a flywheel 19 is coupled to a means for linear to rotary motion conversion 15 and functions as an energy storage mechanical device (column 3, lines 2-8, figure 2 at 15, 19). The motivation for these inventions would have been to reduce the amount of electric consumption by an operator (column 1, lines 38-45).

As such, this application in its current form is not allowable.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 4,701,835 to *Campagnuolo et al* for a multimode flashlight.

U.S. Patent 6,700,310 to *Maue et al* for a self-powered wireless switch.

U.S. Patent 4,360,860 to *Johnson et al* for a self-contained handheld portable lantern-flashlight.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uchendu O. Anyaso whose telephone number is (703) 306-5934. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 6th Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Uchendu O. Anyaso

05/24/2004



CHANH NGUYEN
PRIMARY EXAMINER